

1994

Spending Amendments (1994): Memorandum 01

Dick Woodruff

Follow this and additional works at: http://digitalcommons.uri.edu/pell_neh_I_83

Recommended Citation

Woodruff, Dick, "Spending Amendments (1994): Memorandum 01" (1994). *Spending Amendments (1994)*. Paper 2.
http://digitalcommons.uri.edu/pell_neh_I_83/2

This Memorandum is brought to you for free and open access by the Education: National Endowment for the Arts and Humanities, Subject Files I (1973-1996) at DigitalCommons@URI. It has been accepted for inclusion in Spending Amendments (1994) by an authorized administrator of DigitalCommons@URI. For more information, please contact digitalcommons@etal.uri.edu.

NATIONAL
ENDOWMENT
FOR THE
ARTS

MEMORANDUM

*The Federal agency
that supports the
visual, literary and
performing arts to
benefit all Americans*

May 4, 1994

To: David Evans
From: Dick Woodruff
Re: Amendment to ESEA bill

Arts in Education

*Challenge &
Advancement*

Dance

Design Arts

Expansion Arts

Folk Arts

International

Literature

Locals

Media Arts

Museum

Music

*Opera-Musical
Theater*

*Presenting &
Commissioning*

State & Regional

Theater

Visual Arts

Per our conversation, I've attached a copy of the statutory provisions relating to NEA and NEH reception and representation, and the proposed amendment. With respect to your question about IMS, I asked our general counsel to review the statute, which she did, and confirmed that IMS has no such R&R restriction.

The statutory restriction was enacted in 1980, in response to concerns expressed by Senator Pell about NEH using appropriated funds for R&R, and the possibility of conflict of interest arising when privately donated funds are used.

NEA uses only donated funds for R&R, not appropriated funds. We pay for the events surrounding Arts and Humanities month, we are planning a celebration of the agency's 30 year anniversary, and we are looking at taking the lead on a major millennium celebration. These obligations will exceed the \$50,000 annual limit.

We believe that conflict of interest is not an issue given that our Office of General Counsel carefully reviews all donations and R&R expenditures.

Thanks so much for your help. You're a god-like man.

The Nancy Hanks Center
1100 Pennsylvania Ave. NW
Washington, DC 20506-0001
202/682-5400

Proposed amendment of the Elementary and Secondary Education bill

At the appropriate place insert:

"Section 960(c)(1) of Title 20 U.S. Code is amended by striking the second sentence.

Section 960(c)(2) of Title 20 U.S. Code is amended by striking the second sentence."

(2) In order to afford adequate notice to interested persons of available assistance under this subchapter, appropriations authorized under subsection (a) of this section are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.

(c)(1) There are authorized to be appropriated to the National Endowment for the Arts \$21,200,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993, to administer the provisions of this subchapter, or any other program for which the Chairperson of the National Endowment for the Arts is responsible, including not to exceed \$50,000 for each such fiscal year for official reception and representation expenses. The total amount which may be obligated or expended for such expenses for any fiscal year through the use of appropriated funds or any other source of funds shall not exceed \$50,000.

(2) There are authorized to be appropriated to the National Endowment for the Humanities \$17,950,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993, to administer the provisions of this subchapter, or any other program for which the Chairperson of the National Endowment for the Humanities is responsible, including not to exceed \$50,000 for each such fiscal year for official reception and representation expenses. The total amount which may be obligated or expended for such expenses for any fiscal year through the use of appropriated funds or any other source of funds shall not exceed \$50,000.

(d)(1) The total amount of appropriations to carry out the activities of the National Endowment for the Arts shall be such sums as may be necessary for each fiscal year 1991 through 1993.

(2) The total amount of appropriations to carry out the activities for the National Endowment for the Humanities shall be such sums as may be necessary for each fiscal year 1991 through 1993.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

(f)(1) Subject to subparagraph (2), in any fiscal year in which the aggregate amount appropriated to the National Endowment for the Arts exceeds \$175,000,000, 50 percent of such excess shall be available to carry out section 954a of this title.

AMENDMENT NO. _____

Calendar No. _____

Purpose: To amend Public Law 89-209.

IN THE SENATE OF THE UNITED STATES—103d Cong., 2d Sess.

S. 1513

Entitled the “Improving America’s Schools Act of 1993”.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PELL

Viz:

1 At the end of title III, insert the following:

2 PART D—AMENDMENTS TO PUBLIC LAW 89-209

3 SEC. 332. Section 11(c) of Public Law 89-209 (20

4 U.S.C. 960(c)) is amended—

5 (1) in paragraph (1), by striking the second

6 sentence; and

7 (2) in paragraph (2), by striking the second

8 sentence.